

Notice of Allowability

Application No.

09/865,735

Examiner

Leslie Wong

Applicant(s)

SEIBEL ET AL.

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08 February 2005.
2. ☒ The allowed claim(s) is/are 1-4, 6-10, and 12-20 now renumbered as 1-18.
3. ☒ The drawings filed on 24 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 08 Feb. & April 2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 13 April 05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Ann C. Livingston on 13 April, 2005.

2. The application has been amended as follows:

In claim 1, line 5, after the word "group", insert --consisting--.

In claim 1, line 10, replace the word "a" to --an--.

In claim 7, line 2, after the word "provider," replace the word "of" to --for--.

In claim 7, line 5, after the word "group", insert --consisting--.

Reasons for Allowance

3. Claims 1-4, 6-10, and 12-20 are allowed.

The following is an examiner's statement of reasons for allowance:

Prior art of record fails to teach a combination of elements including a text mining server for receiving queries from the product/service provider, each query representing a request for information about participants who are discussing a specified product or service; wherein the text mining server responds to each query by intruding into the Internet discussion site independently of, and without activation by the participants of the discussion site; and wherein the text mining server is further operable to analyze data in the database, to provide the product/service provider with text mining outputs representing themes extracted from the data, and a link to at least one document stored in the database that contains information identifying a prospective customer who is discussing the product or service as recited in independent claim 1.

Further, Prior art of record fails to teach a combination of elements including receiving a query from the product/service provider, via a web browser and a text mining server, the query representing a request for information about participants of the text sources who are discussing a specified product or service; using the text mining server to respond to the query independently of, and without activation by the participants; and using the text mining server to analyze data in the archive database to satisfy the query, thereby providing the product/service provider with text mining output representing a theme extracted from the data, and a link to at least one document containing information identifying a prospective customer who is discussing the product or service as recited in independent claim 7.

These features, together with the other limitations of the independent claims are novel and non-obvious over the prior art of record. The dependent claims 2-4, 6, 8-10, and 12-20 being definite, enabled by the specification, and further limiting to the independent claim, are also allowable.

Information Disclosure Statement

4. Applicants state that Examiner indicated in the Office Action dated October 4, 2004, that the IDS filed on 12 August 2004 was received and entered into the record as considered, Applicants did not receive the PTO form 1449 with Examiner's initials.

Examiner hereby includes a copy of the above requested initialed PTO form 1449 for Applicants' record.

5. Applicants' Information Disclosure Statements, filed 08 February and April 2005, have been received, entered into the record, and considered. See attached form PTO-1449.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (571) 272-4120. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Leslie Wong
Patent Examiner
Art Unit 2167

LW
April 13, 2005